

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

December 1, 2004

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., December 1, 2004, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andy Kunasek, Chairman, District 3; Fulton Brock, District 1; Don Stapley, District 2, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present, Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

PERSONNEL AGENDA

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to approve Flood Control District Personnel Agenda (Exhibit C). Exhibit E will be found at the end of this set of minutes.

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to approve easements, right-of-way documents, relocation assistance, and appraisal services contracts under \$5,000 per resolution FCD 87-12; escrow instructions per resolution FCD 87-13; license procedures and fee schedules per resolution FCD 97-02; and payment of tax notices per resolution FCD 97-07 for Flood Control purposes. (ADM1910)

Doubletree Ranch Road Storm Drain Project (Per Resolution FCD 95-03A)

Item 9903.007, Assignment of Easements from the Flood Control District of Maricopa County to The Town of Paradise Valley for the sum of \$1.00 (per IGA FCD 1999A026).

Scottsdale Road Corridor Drainage Improvements Project (Per Resolution 2002R009)

Item TCE 17526007, Temporary Construction Easement and Agreement for Flood Control Purposes from Timothy John Burns and Sue Ann Burns to the Flood Control District of Maricopa County for the sum of \$15,200.00.

2005 MEETING SCHEDULE

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to adopt the 2005 Flood Control District Meeting Schedule. (ADM1900)

IGA WITH PEORIA AND AMENDMENTS TO THE CIP

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to approve intergovernmental agreement (IGA) FCD 2004A004 between the Flood Control District of Maricopa County (District) and the City of Peoria (Peoria) for cost sharing, construction, construction management, operation and maintenance of the New River Channel, Grand Avenue to Skunk Creek and including Paradise Shores, #400 (Project). The Project is estimated to cost \$9,900,000, for which the IGA provides for a 50% District (\$4,950,000) and 50% Peoria (\$4,950,000) cost share.

And approve an amendment to the District's 5-Year Capital Improvement Program, Agency 690, Fund 990; as follows: Increase Year 2 for the Skunk Creek / New River project, Function Code F400, by

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

December 1, 2004

\$5,940,000; from \$2,660,000 to \$8,600,000. The total project budget will be increased from \$4,280,600 to \$10,220,600. Decrease Year 2 for the White Tanks ADMP project, Function Code F470, by \$4,525,000; from \$13,695,000 to \$9,170,000. The total project budget will be decreased from \$54,722,000 to \$50,197,000. Decrease Year 2 for the Durango ADMP project, Function Code 565, by \$1,415,000; from \$4,610,000 to \$3,195,000. The total project budget will be decreased from \$19,655,400 to \$18,240,400. The requested action has a net impact of \$0 on Year 2 of the 5 Year Plan. (C6905040200)

INVITATION FOR BIDS AND AWARD A CONTRACT FOR THE NEW RIVER CHANNEL PROJECT

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to authorize the Flood Control District of Maricopa County (District) to issue an Invitation for Bids for Contract FCD 2004C014, New River Channel, Grand Avenue to Skunk Creek including Paradise Shores (#400), and to award the contract to the lowest responsible bidder if the bid is not more than ten percent (10%) over the engineer's estimate. (C6905066500)

TRANSFER OF TEN VEHICLES TO PLANNING AND DEVELOPMENT DEPARTMENT

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to approve the transfer of ten (10) vehicles from the Flood Control District to the Planning and Development Department (C6905069M00) (ADM1917) (ADM3104)

CONSIDER THE POSITION OF THE DISTRICT CONCERNING EASEMENTS & STRUCTURES – CONTINUED

Item: Consider the position of the Flood Control District of Maricopa County (District) concerning easement for flood control purposes (related to Powerline, Vineyard, and Rittenhouse Flood Control Structures and Powerline Floodway), authorize communications to State Land Department and others, and take action to implement discussion conducted by the Board of Directors of the District to avoid or resolve possible litigation in executive session on November 29, 2004. (C6905078000) (ADM1900)

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (5-0) to continue the effective date on the May 26, 2004, letter to February 17, 2005, to allow time for continued negotiations with the State Land Department on the easements for the Powerline, Vineyard and Rittenhouse Dam structures in the East Valley.

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board